



**Zoom Video conference Meeting Minutes
November 9, 2020**

EXECUTIVE COMMITTEE MEMBERS	DEPARTMENT OF HUMAN SERVICES
Mark Anderson, Chair – present	Kelly Garcia – present
Kimberly Kudej – present	Faith Sandberg – present
Sam Wallace – present	Matt Highland – present
Carol Forristall – present	Carrie Malone – present
Rebecca Peterson – present	Cory Turner – present
Skylar Mayberry-Mayes – present	Janee Harvey – present
Jack Willey – present	Jean Slaybaugh – present
	Vern Armstrong – present
	Marissa Eyanson – present
	Anthony Lyman – present
	Julie Lovelady – present
	Nancy Freudenberg – present

EX-OFFICIO LEGISLATIVE MEMBERS
Representative Joel Fry – absent
Senator Mariannette Miller-Meeks – absent
Senator Amanda Ragan – present
Representative Timi Brown-Powers – absent

Call to Order

Chair Mark Anderson called the Council meeting to order at 10:00 a.m. via zoom video conference on Monday, November 9, 2020.

Roll Call

All Council members were present, Senator Amanda Ragan was present, all other Ex-officio legislative members were absent.

Approval of Minutes

A motion was made by Willey, seconded by Mayberry-Mayes to approve the minutes of the October 8, 2020 meeting.

MOTION UNANIMOUSLY CARRIED

Rules

The following amendments to the administrative rules are presented for adoption at the November 9, 2020 Council on Human Services meeting.

R-1. Amendments to Chapter 36, “Facility Assessments,” Iowa Administrative Code. (Quality Assurance Fees). These amendments were promulgated to match dates between nursing facilities assessments and cost reports due dates. The quality assurance assessment and the cost report dates will now be June 1, of each year.

A motion was made by Wallace to approve and seconded by Willey

MOTION UNANIMOUSLY CARRIED

R-2. Amendments to Chapter 9, “Public Records and Fair Information Practices,” Chapter 78, “Amount, Duration and Scope of Medical and Remedial Services,” and Chapter 79, “Other Policies Relating to Providers of Medical and Remedial Care,” Iowa Administrative Code. (Technical Changes for Home and Community Based Waivers) These amendments make technical changes in administrative rules by removing outdated program language. The units of service for intermittent supported community living are clarified. The references to the Iowa Plan are replaced with the member’s managed care organization (MCO). The number of days a member may be in a medical institution without having to reapply are increased from 30 to 120 days to align with other HCBS waiver programs. The rules also clarify what is considered a member’s home for the purposes of receiving occupational, physical and speech therapy.

A motion was made by Kudej to approve and seconded by Willey.

MOTION UNANIMOUSLY CARRIED

R-3. Amendments to Chapter 77, “Conditions of Participation for Providers of Medical and Remedial Care,” and Chapter 78, “Amount, Duration and Scope of Medical and Remedial Services.” Iowa Administrative Code. (Day Habilitation) These amendments implement guidance from the Centers for Medicare and Medicaid Services (CMS) clarifying day habilitation services provided through the HCBS Intellectual Disabilities (ID) waiver and state plan HCBS Habilitation program for persons with chronic mental illness. These amendments clarify the activities provided through day habilitation to assist members to participate in the community, develop social roles and responsibilities and increase independence and the potential for employment.

A motion was made by Willey to approve and seconded by Peterson.

MOTION UNANIMOUSLY CARRIED

The following amendments to the administrative rules are presented as Noticed rules.

N-1. Amendments to Chapters 77, “Conditions of Participation for Providers of Medical and Remedial Care,” and Chapter 78, “Amount, Duration and Scope of Medical and Remedial Services,” Iowa Administrative Code. (Allows Physician Assistants to bill independently)

The proposed amendment implements Senate File 2357 from 2020 which allows physician assistants to bill independently for services provided. Previously a physician assistant billed for services provided through a supervising physician.

N- 2. Amendments to Chapters 83, “Medicaid Waiver Services,” Iowa Administrative Code. (Remove Elderly Waiver Cap)

House File 2269 from 2020 directs the Department to eliminate the monthly budget maximum or cap for individuals eligible for the Medicaid Home and Community Based Services (HCBS) Elderly Waiver. This proposed amendment removes the total limit on the monthly cost of care for the Elderly Waiver

N-3. Amendments to Chapter 95, “Collections,” Chapter 96, “Information and Records,” Chapter 97, “Collection Services Center,” Chapter 98, “Support Enforcement Services,” Chapter 99, “Support, Establishment and Adjustment Services and Chapter 100, “Child Support Promoting Opportunities for Parents Program,” Iowa Administrative Code. (Policies for administrative appeal rules).

This rulemaking proposes changes to maintain current Child Support Recovery Unit (CSRU) administration appeal procedures in light of the recent changes in the IAC 441-chapter 7 appeal rules. This rulemaking also recognizes various organizations rule by keeping all collection rules in Chapter 95 and all enforcement rules in Chapter 98. Outdated language and duplicate language is removed. None of the proposed amendments make changes to current CSRU procedures.

N-4. Amendments to Chapter 187, “Aftercare Services Program,” Iowa Administrative Code. (Aftercare services eligibility). The proposed rule is to implement FH 2220 from 2020 to ensure aftercare eligibility that youth who were in court-ordered placement with a relative or other approved person at age 18 will receive the same aftercare benefits as their peers who age out of state-paid placements. The aftercare services program, including the preparation for adult living program (PAL), helps youth who were formally in foster care, the Iowa State training school or a court-ordered Iowa juvenile detention center enter adulthood with ongoing services and support.

A motion was made by Wallace to approve and seconded by Mayberry-Mayes.

MOTION UNANIMOUSLY CARRIED

Director’s Report

Director Garcia updated the Council on the proposed alignment of DHS and IDPH. Chair Mark Anderson requested regular updates as the process moves forward.

She shared DHS staffing updates, introducing Jean Slaybaugh as the new COO. She will be serving in a dual role as COO and CFO for the time being. The posting for the new Medicaid Director is now live, and we have extended an offer for a new superintendent at our Glenwood facility.

Session prep is in progress with the team. There will be a strong focus on Medicaid staffing. Director Garcia will share more details about priorities in our next meeting.

Chair Mark Anderson asked for an update on family planning.

Director Garcia shared that we have a project plan in place and she has met with the teams. There are a number of meetings on the books for late November. She stated she would share more substantive information with the Council in December and January.

Chair Mark Anderson asked for an update on diversity issues.

Director Garcia informed the Council that our team has had a series of executive retreats where we have been learning about our own implicit bias and institutional racism. We are working on how we play a role and we are continuing those efforts.

Chair Mark Anderson asked about hiring practices including bringing more diversity to the staff.

She stated that hiring in the middle of pandemic has been challenging. We have had meetings with Drake University and an upcoming meeting with the University of Iowa about how we engage professionals to come work for us and to ensure we are a safe and inclusive work environment.

Chair Mark Anderson asked for an update on the COVID-19 crisis.

Director Garcia explained that we are in the middle of significant community spread across the state. We are working with the Governor on additional mitigation strategies, and expect that she will be making some decisions shortly. She shared that we are diligent in making sure our hospitals and long term care facilities are staffed. We are deploying every resource we can for our facilities.

Council Member Kim Kudej asked if there is enough testing. Director Garcia stated there is enough testing across the state. Test Iowa will be going through a transition to move those sites indoors.

Adjournment

Motion to adjourn was made by Kudej, seconded by Willey.

MOTION UNANIMOUSLY CARRIED

Chair Mark Anderson adjourned the meeting at 10:52 a.m.

Respectfully Submitted by:

Julie McCauley

Council Secretary